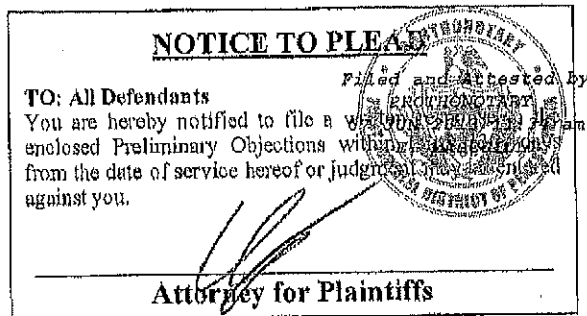


# **Exhibit B**



THIS IS NOT AN ARBITRATION CASE  
AN ASSESSMENT OF DAMAGES  
HEARING IS REQUIRED

GALFAND BERGER, LLP  
BY: HENRY YAMPOLSKY, ESQUIRE  
PA BAR ID NO.: 200213  
Suite 2710  
1835 Market Street  
Philadelphia, PA 19103  
215-665-1600

Attorney for Plaintiffs

Oksana Kredens and  
Valeriy Kredens, w/h  
1713 Solly Avenue  
Philadelphia, Pennsylvania 19152

Plaintiffs

VS.

Home Depot USA, Inc.  
2455 Paces Ferry Rd SE  
Atlanta, GA 30339

Defendant

COURT OF COMMON PLEAS  
CIVIL DIVISION  
PHILADELPHIA COUNTY

TERM 2013  
NO. 00529

### COMPLAINT

#### NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by an attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral Service  
One Reading Center  
1101 Market Street, 11th Floor  
Philadelphia, Pennsylvania 19107  
(215) 238-6333

"AVISO"

Le han demandado en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo de la demanda y notificacion para asentar una comparecencia escrita en persona o por su abogado y archivar con la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte puede continuar la demanda en contra suya y puede entrar una decision contra usted sin aviso o notificacion adicional por la cantidad de dinero de la demanda o por cualquier reclamacion hecha por el demandante. Usted puede perder dinero o propiedad u otros derechos importantes para usted.

USTED DEBE DE LLEVAR ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE PARA PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITO ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA

LEGAL.  
ASOCIACION DE ABOGADOS DE FILADELFA  
Servicio De Referencia E Informacion Legal  
1101 Market Street, 11th Floor  
Philadelphia, Pennsylvania 19107  
(215) 238-6333

**COMPLAINT**

1. Plaintiffs Oksana Kredens and Valeriy Kredens, w/h are adult individuals and residents of the Commonwealth of Pennsylvania, residing therein at 1713 Solly Avenue, Philadelphia, Pennsylvania 19152.
2. Defendant Home Depot USA, Inc., is believed to be a foreign corporation, with a principal place of business at 2455 Paces Ferry Road, N.W., Atlanta, Georgia 30339.
3. At all times material hereto, Defendant Home Depot, USA, Inc., operated retail in the Commonwealth of Pennsylvania and in and within the City and County of Philadelphia, including a store Number 6866, located at 11725 Bustleton Avenue, Philadelphia, PA 19116.
4. On April 5, 2011, Plaintiff, Oksana Kredens, was a business invitee at Defendant Home Depot's Bustleton Avenue retail location.
5. Some time prior to Plaintiff Oksana Kredens' visit, Defendant placed a visual display and/or advertisement outside of its Bustleton Avenue store.
6. On April 5, 2011 as Plaintiff, Oksana Kredens, was walking near the outside display and/or advertisement, it toppled on top of her causing her to sustain severe personal injuries that are described at length below.

**COUNT I**

**NEGLIGENCE**

**PLAINTIFF V. DEFENDANT HOME DEPOT USA, INC.**

7. Plaintiff hereby incorporates by reference the preceding paragraphs as though stated in full herein.
8. The aforesaid accident was caused through the fault of Defendant Home Depot USA and through no fault of Plaintiff.
9. The fault and negligence of Defendant Home Depot USA, Inc. included, but was not limited to the following:

- a. Failing to place its advertising signs and/or displays with due care;
- b. Placing advertising and/or displays in such a way as to create unreasonable harm to invitees such as Plaintiff;
- c. Failing to properly anchor and/or secure the subject advertising and/or display;
- d. Failing to remove outside advertisement and/or displays during inclement weather;
- e. Failing to warn business invitees, such as Plaintiff, Oksana Kredens, of the danger posed by the improperly secured advertisement and/or outside displays;
- f. Creating a public nuisance;
- g. Using improper and/or inappropriate signs or displays under the circumstances;
- h. Using outside displays and/or advertisement not appropriate for use outside and/or not appropriate for use in inclement weather;
- i. Creating an unsafe and dangerous condition on the property over which it exercised control;

10. As a result of the aforesaid negligence and carelessness of Defendant Home Depot USA, Inc. Plaintiff, Oksana Kredens, suffered injuries, which included but were not limited to:

- a. Multi-level disco genic disease in her neck, thoracic spine and lumbar spine;
- b. Concussion and traumatic brain injury;
- c. Extensive nerve damage;
- d. Cardiac problems;

- e. Anxiety, depression, damage to her nerves and nervous system;
- f. Pain, suffering and humiliation;
- g. Medical bills, past, present and future;
- h. Loss of earnings and earning capacity;
- i. Incidental expenses and out of pocket costs;
- j. Other ills, injuries and ailments that Plaintiff has incurred or may incur in

the future.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter Judgment for Plaintiffs and against Defendants in an amount in excess of \$100,000.00.

COUNT II  
LOSS OF CONSORTIUM  
PLAINTIFF V. DEFENDANT HOME DEPOT USA, INC.

- 11. Plaintiff hereby incorporates by reference the preceding paragraphs as though stated in full herein.
- 12. On April 5, 2011 and at all times thereafter, Plaintiff, Valeriy Kredens, was and continues to be married to Plaintiff, Oksana Kredens.
- 13. As a direct and proximate result of the aforesaid acts, omissions, negligence, and/or other conduct of the Defendant, Plaintiff, Valeriy Kredens, has been deprived of the comfort, companionship, services, assistance, earnings, and consortium of Plaintiff, Oksana Kredens, to his great detriment and loss.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter Judgment for Plaintiff and against Defendant Home Depot USA, Inc. in amount in excess of \$100,000.00.

Respectfully submitted,

GALFAND BERGER, LLP

BY: 

HENRY YAMPOLSKY, ESQUIRE  
1835 Market Street, Suite 2710  
Philadelphia, PA 19103  
Phone: (215) 665-1600  
Fax: (215) 564-2262  
Email: [hyampolsky@galfandberger.com](mailto:hyampolsky@galfandberger.com)  
Attorney for Plaintiffs

2013-06-06 16:08

2154374212&gt;&gt;

P1/1

VERIFICATION

We hereby affirm that the following facts are correct;

We are the Plaintiffs in the foregoing action and the attached Complaint is based upon information that we have furnished to my counsel any information which has been gathered by our counsel in preparation of our lawsuit. The language of the Complaint is that of counsel and not mine. We have read the Complaint and to the extent that the Complaint is based upon information that we have given to counsel, it is true and correct to the best of our knowledge, information and belief. To the extent that the contents of the Complaint are that of counsel, we have relied upon counsel in making the Verification.

We hereby acknowledge that the facts set forth in the aforesaid Complaint are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

DATED: 6 05. 2013  
OKSANA KREDENSDATED: 06 05, 2013  
VALERIY KREDENS